



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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JUN 18 2012

Cody Toal
King County Water and Land Resources Division
DNR and Parks
201 South Jackson Street
Suite 600
Seattle, Washington 98104-3855

Dear Mr. Toal:

RE: 2012 Riparian Planting - Temporary Water Use Authorization No. S1-28729

The Department of Ecology (Ecology) received your application requesting temporary withdrawal of surface water for watering native plants at habitat restoration sites from June 1, 2012 to September 30, 2012.

- For streams that have been closed to further consumptive uses, withdrawals of water are authorized only in those situations where it is clear that overriding considerations of the public interest will be served. Ecology is committed to support projects that have a direct positive impact on stream habitat. According to RCW 90.54.020(3), the quality of the natural environment shall be protected, and where possible, enhanced. In these cases, water use is authorized when flows are at or above 1 cubic foot per second.
- For rivers where instream flows have been established, water right authorizations are conditioned by instream flows. This means the right to use water can legally be interrupted if stream flows drop below a specific level. Because flows change daily, it is up to the applicant to check the gauges in the sources indicated and shall be responsible for the termination of watering when the flows are not being met (see enclosed spreadsheet).

Ecology appreciates the past cooperation you have shown in seeking alternative methods to watering project plants by using reclaimed water and municipal water where available, and recommends these alternatives when flows are not met at project sites.

Nothing in this temporary water use authorization allows for its holder to impair existing water rights.

Water use authorizations are subject to provisions as listed by project, and continue through **September, 30, 2012**. The Water and Land Resources Division shall record how much water is used at each site and will notify Ecology if any of these projects have ended prematurely, been delayed, or completed. Each project site should use procedures to eliminate any waste of water.



You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of this document:

- File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

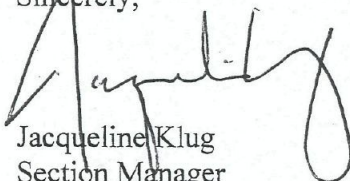
Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk P.O. Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board Environmental Hearings Office 1111 Israel Road SW, Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board P.O. Box 40903 Olympia, WA 98504-0903

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>

To find laws and agency rules visit the Washington State Legislature Website:
<http://www1.leg.wa.gov/CodeReviser>

If you have any questions, please contact Dorothy Glenn at (425) 649-7278.

Sincerely,


Jacqueline Klug
Section Manager
Water Resources Program

jk/jr/mc

Enclosure: Project spreadsheet
Your Right to be Heard

By certified mail: 7010 3090 0000 1910 1545

Watershed/ Tributary To:	Waterbody	WRIA	Project Name (**continued from previous year)	S/T/R	# of Plants	Amount of Water Needed (15 gallons per plant)	WAC Reference	Ecology's Determination
Snoqualmie River	Snoqualmie River	7	Gilead Off-Channel Reconnection	09/25N/07E	200	Approximately 3,000 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1490.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Ditch tributary	7	**Dolder ADAP	28/25N/07E	535	Approximately 8,025 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1490.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Ditch tributary	7	Pearce ADAP	06/26N/07E	435	Approximately 6,525 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1508.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Snoqualmie River	7	Chinook Bend Floodplain Enhancement	09/25N/07E	1200	Approximately 18,000 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1490.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Patterson Creek	7	Lein Patterson Creek Enhancement	04/24N/07E	675	Approximately 10,125 gallons per month	This tributary is closed all year in accordance with WAC 173-507-030(2)	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Snoqualmie River	Snoqualmie River	7	Changing Seasons Farm Enhancement	32/25N/07E	423	Approximately 6,345 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1490.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Snoqualmie River	7	Aldair Levee Mitigation Plantings	10/24N/07E	188	Approximately 2,820 gallons per month.	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1490.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	South Fork Snoqualmie River	7	Si View Levee Repair	09/23N/08E	200	Approximately 3,000 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1445.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	South Fork Snoqualmie River	7	Reif Road	16/23N/08E	33	Approximately 498 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1445.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Snoqualmie River	7	Fall City RIP Mitigation	10/24N/07E	94	Approximately 1,410 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at USGS gauge 12.1490.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	South Fork Snoqualmie River	7	Allen River Repair	30/23N/09E	170	Approximately 2,550 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at gauge 12.1445.00 in accordance with Chapter 173-507 WAC.
Snoqualmie River	Raging River	7	Jelstrep Buyout Project	04/23N/07E	385	Approximately 5,775 gallons per month	This tributary is closed all year in accordance with WAC 173-507-030(2)	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Snoqualmie River	Raging River	7	Nicholes Buyout Property	04/23N/07E	400	Approximately 6,000 gallons per month	This tributary is closed all year in accordance with WAC 173-507-030(2)	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.

Watershed/ Tributary No:	Waterbody	WRIA	Project Name (**continued from previous year)	S/T/R	# of Plants	Amount of Water Needed (15 gallons per plant)	WAC Reference	Ecology's Determination
Snoqualmie River	Raging River	7	Preston Fall City Lowest	28/24N/07E	20	Approximately 300 gallons per month	This tributary is closed all year in accordance with WAC 173-507-030(2)	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Snoqualmie River	Raging River	7	Raging River Bridge to Mouth Right	14/24N/07E	140	Approximately 2,100 gallons per month	This tributary is closed all year in accordance with WAC 173-507-030(2)	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Snoqualmie River	Tolt River	7	Lower Tolt River Floodplain Reconnection	14/25N/07E	750	Approximately 11,250 gallons per month	Instream flows set by WAC 173-507-020 for the Tolt River.	Use of water granted when flows are met at USGS gauge 12.1485.00 in accordance with Chapter 173-507WAC.
Snoqualmie River	Skykomish River	7	Walker Buyout Property	12/26N/10E	192	Approximately 2,880 gallons per month	Instream flows set by WAC 173-507-020 for the Snoqualmie River.	Use of water granted when flows are met at USGS gauge 12.1508.00 in accordance with Chapter 173-507 WAC.
Cedar Sammamish	Issaquah Creek	8	Middle Issaquah Creek Ellis	25/23N/06E	500	Approximately 7,500 gallons per month	This tributary is closed all year in accordance with WAC 173-508-040	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Cedar Sammamish	Issaquah Creek	8	Middle Issaquah Creek Ahlstrom	22/23N/06E	300	Approximately 4,500 gallons per month	This tributary is closed all year in accordance with WAC 173-508-040	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Cedar Sammamish	Cedar River	8	Cedar Rapids North	24/23N/05E	2,483	Approximately 37,245 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173- 508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Cedar Sammamish	Cedar River	8	Cedar Rapids South	24/23N/05E	4,184	Approximately 62,760 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173- 508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Cedar Sammamish	Cedar River	8	Rainbow Bend Floodplain Enhancement	32/23N/06E	900	Approximately 13,500 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173- 508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Cedar Sammamish	Cedar River	8	CRT Bridge at Orchard Grove	15/22N/06E	78	Approximately 1,170 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173- 508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC.
Cedar Sammamish	Cedar River	8	Herzman Property	24/23N/05E	75	Approximately 1,125 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173- 508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC
Cedar Sammamish	Cedar River	8	Cedar River Trail Site 2B	24/23N/05E	170	Approximately 2,550 gallons per month	Cedar River and all its tributaries are subject to instream flows by WAC 173- 508-060.	Use of water granted when flows are met at USGS gauge 12.1190.00 in accordance with Chapter 173-508 WAC
Cedar Sammamish	Bear Creek	8	Lien/Craig Buffer Enhancement	30/26N/06E	670	Approximately 10,050 gallons per month	This tributary is closed all year in accordance with WAC 173-508-040	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.

Watershed/ Tributary To:	Waterbody	WRIA	Project Name (**continued from previous year)	S/T/R	# of Plants	Amount of Water Needed (15 gallons per plant)	WAC Reference	Ecology's Determination
Cedar Sammamish	Sammamish River	8	TZ Mitigation Site	35/26N/05E	3,427	Approximately 51,405 gallons per month	This tributary is closed all year in accordance with WAC 173-508-040	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Green Duwamish	Newaukum Creek	9	Lower Newaukum Creek Restoration	29/21N/06E	300	Approximately 4,500 gallons per month	All tributaries of the Green River are closed by WAC 173-509-040.	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Green Duwamish	Newaukum Creek	9	Walker Buffer Enhancement	10/20N/06E	1000	Approximately 15,000 gallons per month	All tributaries of the Green River are closed by WAC 173-509-040.	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Green Duwamish	Newaukum Creek	9	Newaukum Creek Bridge #3042 Restoration	07/20N/07E	150	Approximately 2,250 gallons per month	All tributaries of the Green River are closed by WAC 173-509-040.	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
Green Duwamish	Green River	9	Fenster Mitigation Planting	17/21N/05E	300	Approximately 4,500 gallons per month	The Green River is subject to instream flows by WAC 173-509-030(2).	Use of water granted when flows are met at USGS guage 12.1130.00 in accordance with Chapter 173-509 WAC
Green Duwamish	Green River	9	Meyers Golf Mitigation site	23/22N/04E	345	Approximately 5,175 gallons per month	The Green River is subject to instream flows by WAC 173-509-030(2).	Use of water granted when flows are met at USGS guage 12.1130.00 in accordance with Chapter 173-509 WAC
Green Duwamish	Green River	9	Horseshoe Bend Mitigation	30/22N/05E	190	Approximately 2,850 gallons per month	The Green River is subject to instream flows by WAC 173-509-030(2).	Use of water granted when flows are met at USGS guage 12.1130.00 in accordance with Chapter 173-509 WAC
Green Duwamish	Green River	9	Pautzke Levee Setback	17/21N/05E	1,000	Approximately 15,000 gallons per month	The Green River is subject to instream flows by WAC 173-509-030(2).	Use of water granted when flows are met at USGS guage 12.1130.00 in accordance with Chapter 173-509 WAC
White River	White River	10	Stuck River Drive Repair Plantings	29/21N/05E	265	Approximately 3,975 gallons per month	White River is closed by WAC 173-510- 040(3)	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
White River	Boise Creek	10	Lower Boise Channel Restoration	34/20N/06E	1,000	Approximately 15,000 gallons per month	White River and all tributaries, including Boise Creek are closed by WAC 173- 510-040(3)	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.
White River	Boise Creek	10	Boise Creek VanWierengen Small Habitat	25/20N/06E	600	Approximately 9,000 gallons per month	White River and all tributaries, including Boise Creek are closed by WAC 173- 510-040(3)	RCW 90.54.020(3)(A) Overriding consideration of the public interest allows for the use of water. Use of water granted when flows are above 1 cfs.